

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty. Ref.: **4662-3**

MÜLHAUPT et al

Conf. No.: **2623**

Serial No. **10/525,953**

Group: **1796**

Filed: **November 29, 2005**

Examiner: **Truong**

For: **PROCESS FOR PREPARING BIOCOMPATIBLE POLYUEA**

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February 17, 2009

(February 16 = President's Day Holiday)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The following comments are intended to be fully responsive to the Official Action dated September 15, 2008, petition being hereby made for a time extension of four (4) months up to and including February 15, 2009 (a Sunday).

Applicants hereby elect for further prosecution, the invention defined by claim Group I (including claims 1-5). This election is however with traverse.

Applicants note in this regard that the different groups of claims share a common technical feature – namely, the carbonyl bislactam compound of formula I. Thus, claims 1-5 cover a process for preparing a urea-containing polymer where a multi functional alcohol (in claim 1 defined as a hydroxyl-functional organic compound having a functionality of two or more) is reacted with a carbonylbislactam compound of formula I. Claim 6 covers a polymer composition comprising the urea-containing polymer based on the carbonyl bislactam compound of formula I and a multifunctional alcohol $R(OH)_m$ in which m = functionality and R' represents $(CH_2)_m$. Claims 7-8 relate to a cell support for tissue engineering comprised of the polymer composition as defined in claim 6 or a coating comprising the polymer composition of claim 6, respectively.

One aspect of the invention is that the use of isocyanates (a common reactant in the preparation of urea-containing polymers) is to be avoided. It was surprisingly discovered that carbonylbislactam (CBL) compounds are valuable reactants when reacted with hydroxyl-functional organic compounds with a functionality of more than 2 in the preparation of urea-containing polymers.

Therefore, since all pending claims share a common technical feature, a search against one group of claims would be coextensive with a search against other groups of claims. In such a situation therefore no Patent Office economy can be achieved by the restriction requirement as advanced by the Examiner since a search and examination of all pending claims would not be unduly burdensome.

In view of the above, withdrawal of the restriction requirement and an action on the merits of all pending claims is therefore solicited.

Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

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